



WEB COPY



C.M.P. No. 18430 of 2024  
in C.M.A.SR.No.108413 of 2024

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**in**  
**C.M.A.SR.No.108413 of 2024**  
**T.V. THAMILSELVI, J.**

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 43 days in filing the above Civil Miscellaneous Appeal against the order dated 21.11.2023 passed in M.C.O.P.No. 6004 of 2019, on the file of Motor Accident Claims Tribunal, Chief Judge, Court of Small Causes, Chennai.

2. Mr.U.Chithambaram, learned counsel for appellants submitted that due to ill-health and also due to financial constraints, the appellant is not able to instruct counsel on record to prefer the above appeal and only during month of August 2024, they gave papers to him, as a result of which, there is a delay of 43 days in filing the above Civil Miscellaneous Appeal arose, which is neither willful nor wanton. Therefore, he filed this petition to condone the delay in filing the above C.M.A..

3. Mr.T.K.Premkumar, learned counsel for 2<sup>nd</sup> respondent appeared and raised strong objections stating that the sufficient reason was not assigned for the delay.

4. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit is justifiable one. Accordingly, this court is inclined to allow this petition. Registry is directed to number the Civil Miscellaneous Appeal if it is otherwise found to be in order. The interest for the delay period is ordered to be waived.

**14.07.2025**

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